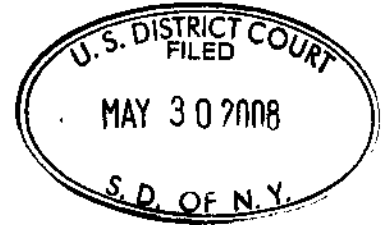


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



_____ X

JERRY FRITH,

Petitioner,

CIVIL JUDGMENT

-against-

08 Civ. 306 (KMW)

J. GRONDOLSKY, WARDEN
FORT DIX FEDERAL
CORRECTIONAL INSTITUTION;
and BRIDGET G. BRENNAN,
YORK STATE ATTORNEY,

SCANNED

Respondents.

_____ X

Pursuant to the order issued MAY 30 2008 by the Honorable Kimba M. Wood,

Chief Judge, dismissing the petition under 28 U.S.C. § 2254 as untimely, it is,

ORDERED, ADJUDGED AND DECREED: That the petition be and it is hereby dismissed.
28 U.S.C. § 2244(d). As the petition makes no substantial showing of a denial of a constitutional
right, a certificate of appealability will not issue. 28 U.S.C. § 2253(c). I certify pursuant to 28
U.S.C. § 1915(a)(3) that any appeal from the Court's order would not be taken in good faith.

SO ORDERED.

K. Wood

KIMBA M. WOOD
Chief Judge

Dated: MAY 30 2008
New York, New York

THIS DOCUMENT WAS ENTERED ON THE DOCKET ON _____.